PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 1614
)	
ETTER)	Examiner: Unknown
)	
Serial No.: 10/717,429)	
)	
Filed: November 19, 2003)	SUBMISSION OF MISSING PARTS
)	
Confirmation No.: 7009)	
)	
Atty. File No.: 42830-10009)	
)	
For: "PARTICULATE DRUG-)	
CONTAINING PRODUCTS AND)	
METHOD OF MANUFACTURE"	

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON 4/19/04 .

MARSH FISCHMANN & BREYFOGLE LLP

BY: _____
DAXMARA SANCHEZ

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is responsive to a Notice To File Missing Parts Of Non-Provisional Application dated February 18, 2004. A copy of the notice is enclosed.

The Notice indicates that the statutory basic filing fee is missing. Enclosed herewith is a check in the amount of $450.00 for payment of the statutory basic filing fee of $385.00 under 37 C.F.R. § 1.16(a) and a late filing surcharge of $65.00 under 37 C.F.R. § 1.16(e), based on small entity status, which is asserted.

Also enclosed is a Second Preliminary Amendment presenting amendments to the claims for entry prior to examination of the application. A check in the amount of $63.00 is enclosed for excess claim fees under 37 C.F.R. § 1.16(c) resulting from the amendments.

It is believed that no additional fees are due with this communication. If, however, any additional fees are due, please debit such fees to Deposit Account No. 50-1419. Credit any overpayments to Deposit Account No. 50-1419.

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AMENDMENT TRANSMITTAL LETTER (Small Entity)		Docket No.
Applicant(s): ETTER		42830-10009

Serial No. 10/717,429	Filing Date November 19, 2003	Examiner Unknown	Group Art Unit 1614

Invention: "PARTICULATE DRUG-CONTAINNG PRODUCTS AND METHOD OF MANUFACTURE"

APR 2 3 2004

TO THE COMMISSIONER FOR PATENTS:

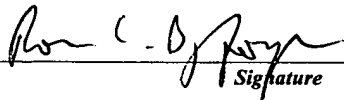Transmitted herewith is an amendment in the above-identified application.

☐ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.

☐ A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	27 -	20 =	7	x $9.00	$63.00
INDEP. CLAIMS	2 -	3 =	0	x $43.00	$0.00
Multiple Dependent Claims (check if applicable) ☐					$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					$63.00

☐ No additional fee is required for amendment.

☐ Please charge Deposit Account No.   in the amount of

☒ A check in the amount of $63.00   to cover the filing fee is enclosed.

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No.   50-1419

  ☒ Any additional filing fees required under 37 C.F.R. 1.16.

  ☐ Any patent application processing fees under 37 CFR 1.17.

Dated: April 19, 2004

Ross E. Breyfogle, Esq.
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Aurora, Colorado 80014
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CC:

P11SMALL/REV06

If filing of this communication requires an extension of time under 37 C.F.R. § 1.136(a), then please consider this communication as including a petition for such extension of time and debit any require d extension fee under 37 C.F.R. Section 1.17 to Deposit Account No. 50-1419. It is believed, however, that no such extension is required.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE, LLP

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Date: _April 19, 2004_